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13 **FUJITSU LIMITED AND**

FUJITSU MICROELECTRONICS AMERICA, INC.

14
15 IN THE UNITED STATES DISTRICT COURT

16 DISTRICT OF GUAM

17 **NANYA TECHNOLOGY CORP. and**
18 **NANYA TECHNOLOGY CORP. U.S.A.,**

19 Plaintiff,

20 -v-

21 **FUJITSU LIMITED, FUJITSU**
22 **MICROELECTRONICS AMERICA, INC.,**

23 Defendants.

CIVIL CASE NO. 06-CV-00025

**DEFENDANTS' MOTION FOR
LEAVE TO FILE SUR-REPLY IN
SUPPORT OF THEIR OPPOSITION
TO PLAINTIFFS' MOTION TO
EXCEED NUMBER OF
INTERROGATORIES AND
REQUESTS FOR ADMISSION**

[NO ARGUMENT REQUESTED]

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ORIGINAL

FILED
DISTRICT COURT OF GUAM

FEB 28 2007

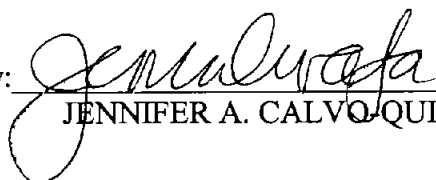
MARY L.M. MORAN
CLERK OF COURT

1 NOW COMES Defendants Fujitsu Limited and Fujitsu Microelectronics America, Inc.
2 and respectfully move this Honorable Court for leave to file herewith a short sur-reply in support
3 of their Opposition to Plaintiffs' motion to exceed number of interrogatories and requests for
4 admission.

5 Defendants seek leave to file a sur-reply because Plaintiffs improperly raised issues on
6 reply that were not raised in the original moving papers, and to which Defendants therefore have
7 not had an opportunity to respond. Defendants respectfully request that the Court disregard these
8 new arguments and alleged facts; alternatively, however, if the Court decides to consider
9 Plaintiffs' new material, then Defendants respectfully request that the Court grant Defendants'
10 request to file a sur-reply addressing those issues, which brief is submitted herewith.

11 Respectfully submitted this 28th day of February, 2007.

12 **CALVO & CLARK, LLP**
13 **MILBANK, TWEED, HADLEY**
14 **& MCCLOY LLP**
15 *Attorneys for Defendants*
16 Fujitsu Limited and
17 Fujitsu Microelectronics America, Inc.

18 By: 
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